

DAVID L. ANDERSON (CABN 149604)
United States Attorney

HALLIE HOFFMAN (CABN 210020)
Chief, Criminal Division

BENJAMIN KINGSLEY (CABN 314192)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6937
FAX: (415) 436-7234
benjamin.kingsley@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 20-MJ-70968 MAG
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	
v.)	
)	
CHEN SONG,)	
)	
Defendant.)	

The United States, by its undersigned counsel, and defendant, by her undersigned counsel, hereby stipulate to and memorialize the following findings:

Defendant was charged by criminal complaint on July 17, 2020, and arrested on that complaint on July 18, 2020. She made her initial appearance in this district on July 20, 2020. On July 21, 2020, defendant was released on conditions. The parties are set for a status conference on release conditions on October 5, 2020, and are set for a preliminary hearing on October 7, 2020.

The parties request a continuance of the preliminary hearing from October 7, 2020, until November 18, 2020, at 10:30 a.m. The government has provided the defense with discovery. A continuance will provide the defense needed time to review discovery, investigate the facts, and discuss resolution of the case. The parties stipulate and agree that the time shall be extended time under Rule

1 5.1 for the preliminary examination until November 18, 2020, as there is good cause, taking into account
2 the public interest in the prompt disposition of criminal cases. Additionally, the parties stipulate and
3 agree that the time between October 7, 2020, and November 18, 2020, should be excluded under the
4 Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B). Excluding time will allow for the
5 effective preparation of counsel, taking into account the nature of the prosecution and the particular
6 complexity of this case, and the ends of justice served by this delay outweigh the defendant's and the
7 public's interest in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(B)(ii), (iv).

8
9 DATED: September 29, 2020

/s/

BENJAMIN KINGSLEY
Assistant United States Attorney

11
12 /s/

EDWARD SWANSON
AUDREY BARRON
Counsel for Defendant Chen Song

[PROPOSED] ORDER

For the reasons stated above, the hearing scheduled for October 7, 2020, is continued to November 18, 2020, at 10:30 a.m.

The Court finds that the exclusion of the period from October 7, 2020, to November 18, 2020, from the time limits applicable under 18 U.S.C. § 3161(b), is warranted; that the ends of justice served by the continuance outweigh the interests of the public and the defendants in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would deny counsel for defendant the reasonable time necessary for effective preparation and of counsel, taking into account the particular complexity of the case and the exercise of due diligence, and would result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(ii), (iv).

For the same reasons, the Court also finds good cause to extend the time for a preliminary hearing from October 7, 2020, to November 18, 2020.

IT IS SO ORDERED.

DATED: _____

HONORABLE ALEX G. TSE
United States Magistrate Judge